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| 10/713,416      | 11/14/2003  | Stephen Venditti     | I0306.70000US00/SJH | 2730             |

7590 04/25/2008  
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| EXAMINER |
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LEROUX, ETIENNE PIERRE

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| ART UNIT | PAPER NUMBER |
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2161

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/713,416 | <b>Applicant(s)</b><br>VENDITTI ET AL. |  |
|                              | <b>Examiner</b><br>Etienne P. LeRoux | <b>Art Unit</b><br>2161                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/22/2008 has been entered.

***Claim Status***

Claims 1-54 are pending. Claims 1-54 are rejected as detailed below.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 17, 33 and 46-54 are rejected under 35 U.S.C. 102(a) as being anticipated by Pub No US 2003/0046281 (Son), hereafter Son.

Claims 1, 17, 33 and 46-54:

Son discloses:

(A) executing a search query on the data collection to produce at least one search result, the search query specifying at least one criterion, each of the at least one search results representing a resource which satisfies the at least one criterion [paragraph 101]

(B) after executing the search query, providing an input mechanism by means of which a user may select from among the search results, for preservation at least one resource represented by a search result [paragraph 101]

(C) selecting a system location in which the selected at least one resource is to be preserved [paragraph 59, Fig 2; the search criteria, and the search results are stored in the storage 33 as one data set, search history data records are accumulated in the storage 33].

(D) executing, in response to the user's selection, a command to preserve the selected at least one resource in a system location [paragraph 101]

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-16, 18-32 and 34-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Son and further in view of US Pat No 5,222,234 (Wang), hereafter Wang.

Claims 2, 18 and 34:

Son discloses the elements of the claimed invention as noted above but does not disclose wherein the system location comprises a folder. Wang discloses wherein the system location comprises a folder [col 3, line 64 through col 4, line 5]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Son to include wherein the system location comprises a folder as taught by Wang for the purpose of saving similar content in an easily accessible memory location.

Claims 3, 19 and 35:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the folder is created based on input provided by the user [Wang, col 3, line 64 through col 4, line 5]

Claims 4, 20 and 36:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the folder is implemented via an indication stored in at least one persistent data store [Wang, col 3, lines 48-63].

Claims 5, 21 and 37:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (A) further comprises each of the at least one search results representing a resource by providing an identifier which facilitates access to the resource [Wang, col 5, lines 1-10].

Claims 6, 22 and 38:

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The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) further comprises exporting the preserved resource [Wang, retrieve documents, col 2, lines 50-55]

Claims 7, 23 and 39:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) further comprises exporting the preserved resource to at least one of a CD-ROM or a paper copy [Wang, col 6, lines 30-40].

Claims 8, 24 and 40:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) is performed in at least one of a manual and semi-automated manner [Wang, col 3, lines 48-58]

Claims 9, 25 and 41-43:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) further comprises copying the selected at least one resource from the system location to a second system location [Wang, col 3, lines 48-58]

Claims 10 and 26:

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The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) is performed in response to a command provided by a user [Wang, col 3, lines 48-58]

Claims 11 and 27:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) is performed by creating a relationship in at least one persistent data store between each of the selected at least one resources and the second system location [Wang, document relation object 42, Fig 2]

Claims 12 and 28:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) further comprises moving the selected at least one resource from the system location to a second system location [Wang, col 3, lines 47-57]

Claims 13 and 29:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) is performed in response to receiving a command provided by a user [Wang, col 3, lines 47-57]

Claims 14 and 30,

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The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the act (C) is performed by creating a relationship in at least one persistent data store between each of the selected at least one resources and the second system location [Wang, col 3, lines 47-57].

Claims 15, 31 and 44:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the user is a human operator [Wang, col 3, lines 47-57]

Claims 16, 32 and 45:

The combination of Son and Wang discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the at least one criterion is provided by the user [Wang, col 3, lines 47-57].

***Response to Arguments***

Applicant's arguments filed 1/22/2008 have been carefully considered but they are not persuasive for the reasons given below.

**Applicant Argues:**

Applicant states that Son fails to disclose “selecting a system location in which the selected at least one resource is to be preserved.”

**Examiner Responds:**

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Examiner is not persuaded. Son discloses the following:

[0058] **When the intermediate server presents search results to the user, the user is asked whether or not the search results should be recorded as search history data. When the intermediate server is requested to record the search results as search history data, the control unit 32 prompts the user to enter character strings (comments) explaining the goal of the search (the results desired by the user).** These comments differ from keywords and consist of words in which the user subjectively states what kind of information he or she seeks; for example, "Through this search, I obtained shogi diagrams for recent professional matches in which 'shiken-bisha' was used; there were only a small number of hits, but the results can be used for reference." On the other hand, as the criteria for a search that can actually be employed, the user should specify a specific period rather than a relative term like "lately" and should only use discrete and objective words such as "shiken-bisha" and "shogi diagram".

[0059] **Then, the control unit 32 executes the search history filing process in which the user ID by which the search request user is identified, the comments, the search criteria, and the search results are stored in the storage 33 as one data set.** Search history data records are accumulated in the storage 33. A search history record consists of entries such as, for example, those that are shown, in FIG. 2. In this example, the entries consist of a user ID (history record registrant name) which is used as the key of the record, contact to the user (registrant) (A), specified search criteria (B), search results (C), time when the search was executed (D) according to the clock 34, evaluation (E), and comments (F). The possible contact to the registrant may be an e-mail address, the URL of a web site/homepage, or an Internet Relay Chat (IRC) identifier for the registrant of the search history record. Prior to processing, the evaluation is set at an initial value, for example, "0."

Examiner concludes that Son anticipates the claim limitation "selecting a system location in which the selected at least one resource is to be preserved."

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/24/2008

/Etienne P LeRoux/  
Primary Examiner, Art Unit 2161